

Joint Drainage Authority for Le Sueur and Blue Earth County, Sitting as Drainage Authority for Joint Ditch 1

Blue Earth County Historic Courthouse

July 14, 2020 at 1:30 P.M.

AGENDA

1. Call In Information

* In an effort to comply with social distancing guidelines, public attendance at Blue Earth County Board Meetings is currently suspended.

If you would like to listen to the Joint Board, there is a call-in option.

You can dial in using your phone.

July 14th at 1:30 PM

United States: [+1 \(224\) 501-3412](tel:+12245013412)

Access Code: 953-718-845

2. Call The Meeting To Order, Joint Chair Rohlfing
3. Overview Of Legal Standard For Redetermination Of Benefits
4. Public Comment On Need Of Redetermination Of Benefits
5. Consider Order Initiating Redetermination Of Benefits

1. Draft Order

Documents:

[ORDER INITIATING REDETERMINATION OF BENEFITS \(JD 1\).PDF](#)

6. Adjourn

STATE OF MINNESOTA
JOINT DRAINAGE AUTHORITY FOR LE SUEUR AND BLUE EARTH COUNTIES
SITTING AS THE DRAINAGE AUTHORITY FOR JD 1

In the Matter of the Redetermination of
Benefits of JD 1

**Findings and Order Initiating the
Redetermination of Benefits**

The Joint Drainage Authority for Le Sueur and Blue Earth Counties, sitting as the drainage authority for JD 1, pursuant to Minn. Stat. § 103E.351, based on the record and proceedings, Commissioner _____ moved, seconded by Commissioner _____ to adopt the following Findings and Order:

Findings:

1. The Joint Drainage Authority for Le Sueur and Blue Earth Counties is the drainage authority for JD 1.
2. JD 1 was established in 1907. Benefits for JD 1 were determined concurrent with establishment in 1942, prior to the initiation of modern, intensive farming and drainage practices within Le Sueur County and Blue Earth County.
3. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the future use and drainage of said properties.
4. Since the original establishment of JD 1 and the original determination of benefits and damages, land uses and drainage practices have changed to accelerate and increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of JD 1.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of JD 1.
6. The joint drainage authority noticed and held a hearing on the proposed redetermination of benefits for JD 1 on July 14th, 2020. The informational hearing was attended by landowners who confirmed certain conditions related to benefits on the drainage system.
7. The joint drainage authority finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present-day land values, and the benefitted areas have changed.

Order:

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for JD 1, hereby orders as follows:

- A. The Board shall follow the procedures of Minn. Stat. § 103E.351 to conduct a redetermination of benefits for JD 1.

- B. The following viewers from H2Over Viewers are appointed: Bryan Murphy, Shantel Hecht, Larry Murphy & Robert Conely (alternate). The Le Sueur County Auditor-Treasurer shall coordinate a first meeting of the viewers (which may be remote) and administer and document required oaths for the record of proceedings.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing Findings and Order, and there were ___ yeas and ___ nays as follows:

| | Yea | Nay | Absent | Abstain |
|----------|--------------------------|--------------------------|--------------------------|--------------------------|
| ROHLFING | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| WETZEL | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| O'KEEFE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| BRUENDER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| PURVIS | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

Steve Rohlifing, Chairperson

Dated: _____, 2020

* * * * *

I, Pam Simonette, Le Sueur County Auditor-Treasurer, do hereby certify that I have compared the above motion; Findings and Order with the original thereof as the same appears of record and on file with the Joint Drainage Authority for Le Sueur and Blue Earth Counties and find the same to be a true and correct transcript thereof. The above Order was filed with me, Le Sueur County Auditor-Treasurer on _____, 2020.

IN TESTIMONY WHEREOF, I hereunto set my hand this ____ day of _____, 2020.

Pam Simonette